

EXTENSIONS OF REMARKS

OLDER AMERICANS MONTH

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PAUL. Mr. Speaker, I am pleased to commemorate Older Americans Month by introducing two pieces of legislation to reduce taxes on senior citizens. The first bill, the Social Security Beneficiary Tax Reduction Act, repeals the 1993 tax increase on Social Security benefits. Repealing this increase on Social Security benefits is a good first step toward reducing the burden imposed by the Federal Government on senior citizens. However, imposing any tax on Social Security benefits is unfair and illogical. This is why I am also introducing the Senior Citizens Tax Elimination Act, which repeals all taxes on Social Security benefits.

Since Social Security benefits are financed with tax dollars, taxing these benefits is yet another example of "double taxation." Furthermore, "taxing" benefits paid by the government is merely an accounting trick, a "shell game" which allows members of Congress to reduce benefits by subterfuge. This allows Congress to continue using the Social Security trust fund as a means of financing other government programs, and masks the true size of the Federal deficit.

Instead of imposing ridiculous taxes on senior citizens, Congress should ensure the integrity of the Social Security trust fund by ending the practice of using trust fund monies for other programs. In order to accomplish this goal I introduced the Social Security Preservation Act (H.R. 219), which ensures that all money in the Social Security trust fund is spent solely on Social Security. At a time when Congress' inability to control spending is once again threatening the Social Security trust fund, the need for this legislation has never been greater. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

In conclusion, Mr. Speaker, I urge my colleagues to help free senior citizens from oppressive taxation by supporting my Senior Citizens' Tax Elimination Act and my Social Security Beneficiary Tax Reduction Act. I also urge my colleagues to ensure that moneys from the Social Security trust fund are used solely for Social Security benefits and not wasted on frivolous government programs.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. RILEY. Mr. Speaker, I was unavoidably detained for Roll Call No. 174, H.R. 3833, the

Dot Kids Implementation and Efficiency Act. Had I been present I would have voted yea. I was also unavoidably detained for Roll Call No. 175, H.R. 1877, the Child Sex Crimes Wiretapping Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 176, H.R. 3375, Embassy Employee Compensation Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 177, H.R. 4626, the Encouraging Work and Supporting Marriage Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 178, H. Con. Res. 405, Commemorating the Independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 179, the Lantos Amendment to H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 180, the Jackson-Lee Amendment to H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 181, the Waters Amendment to H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 182, H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 183, H.R. 4514, the Veterans' Major Medical Facilities Construction Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 184, H.R. 4015, the Jobs for Veterans Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 185, H.R. 4085, the veterans' and Survivors' Benefits Expansion Act. Had I been present I would have voted yea.

PERSONAL EXPLANATION

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Ms. HART. Mr. Speaker, on rollcall No. 184 I was unavoidably detained. Had I been present, I would have voted "yea."

TRIBUTE TO LUZ DOLLY BENAVIDES

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mrs. CAPITO. Mr. Speaker, I rise today in recognition of Luz Dolly Benavides, owner of

TransLingual LLC, in the Second Congressional District of West Virginia. Ms. Benavides has achieved the title of Minority Small Business Advocate of the Year. The West Virginia District of the United States Small Business Administration, a leader in the promotion and growth of our state, gives this award annually.

Ms. Benavides began TransLingual LLC in 1994 in the Eastern Panhandle of West Virginia. She offers translation and interpretation services, private tutoring and Spanish courses. To promote a better climate for minority persons to start or operate a business, she volunteers to teach Spanish classes—with information about Hispanic cultures—to the local banks, law enforcement and judicial personnel. Ms. Benavides embodies the values that created the American success story: self-reliance, hard work, perseverance and optimism. I commend her for her contributions to the West Virginia economy.

Successful small businesses not only serve as the backbone of the economy, they anchor communities and promote civic pride. I urge my colleagues to join me in celebrating Ms. Benavides' tremendous achievement as the West Virginia Small Business Administration's Minority Small Business Advocate of the Year.

TRIBUTE TO GROUND ZERO RESCUE, RECOVERY, AND CLEAN-UP WORKERS

SPEECH OF

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. FOSSELLA. Mr. Speaker, I rise today to recognize that the resolve of our nation was strengthened by the courage of the thousands of brave rescue and recovery workers who used their own hands to remove rubble from the site in order to locate those trapped and buried beneath the debris of the World Trade Center for the past eight months. These workers also inspired the American people with their extraordinary bravery and heroism, often risking their own life and limb to help find the remains of those who perished on September 11th. Many rescue and recovery workers were not just searching for a stranger but rather their lost son, daughter, aunt, uncle, brother, sister, husband, wife, mother, father, lifelong friend, or co-worker. Additionally, each of these workers was helping to clear the debris just hoping to come across any of their loved ones.

I want to thank Congresswoman MALONEY, Congressman CROWLEY, Congressman KING, Congressman SERRANO, Congressman MEEKS, Congressman OWENS, Congressman SWEENEY, Congressman TOWNS, and Congressman WEINER for cosponsoring and supporting this legislation. I also want to give special thanks to Congresswoman MALONEY for taking the time out of her busy schedule to come to the floor tonight and speak in favor of this resolution.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

COMMEMORATING THE 50TH ANNIVERSARY OF THE INCORPORATION OF THE CITY OF CLUTE, TEXAS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PAUL. Mr. Speaker, I am pleased to commemorate the 50th Anniversary of the incorporation of the City of Clute, Texas, which will be celebrated on June 2, 2002. Clute is a city of just over 10,000 citizens in Brazoria County on the coast of Texas. Clute has a very rich heritage and played an important role in the development of the proud state of Texas.

The City of Clute began as land deeded to Alexander Calvit by Stephen F. Austin when holdings were parceled out to the "Old 300," the first settlers in Texas. These settlers had to be tough as living on the Texas coastland in the early days was not for the weak or faint of heart.

Though the living was hard these early settlers contributed many things to the advancement of our state. The first milled lumber plantation house was built in Clute. Bricks used to build homes and buildings all over the coast of Texas were made from the high grade clay that was found only in Clute. That clay was used to make structures at Ft. Velasco, where in 1832, the Brazoria Militia staged the first battle for Texas Independence.

Now, many years later, Clute is still growing and achieving. Citizens raise their families in quiet and serene neighborhoods while contributing to some of the greatest chemical and industrial achievements in modern America.

The face of Clute has changed but the people are still the same brave, hardworking Texans that helped mold the Republic.

I am pleased to extend my best wishes to the people of Clute as the town celebrates its 50th birthday of incorporation and over 170 years after habitation by the original settlers of Texas. I am sure all my colleagues join me in extending congratulations and wishes for many more years of progress to the community of Clute, Texas.

INDEPENDENCE OF EAST TIMOR

SPEECH OF

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. WOLF. Mr. Speaker, I rise in support of H. Con. Res. 405, legislation commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor.

Independence for East Timor has been a long time coming. It was ruled by the Portuguese for 400 years and then more recently experienced 25 years of Indonesian occupation.

Unfortunately, many East Timorese suffered during the path to independence, particularly when Indonesian military backed militias went on a murderous rampage in 1999, after the people of East Timor voted for independence.

Thousands of innocent East Timorese were killed and hundreds of thousands became refugees because of the violence carried out against the East Timorese who were only seeking freedom.

Fortunately, the East Timorese have benefited from having solid leaders. I met many of these people when I visited East Timor in 1997—people such as Roman Catholic Bishop Belo, bishop of Dili.

Bishop Belo was awarded the Nobel Peace Prize for his invaluable work on behalf of peace and justice in East Timor. Representative TONY HALL and I nominated Bishop Belo for this award of which he so deservedly was presented several years ago.

I met with many other outstanding East Timorese volunteers, local leaders, NGO staff and religious leaders who also helped forge the way for a peaceful movement of independence. All are to be commended for their contributions that have led to East Timor's independence.

Recently elected President Jose Alexandre Gusmao also appears to be a leader who will serve his new country well.

He is emphasizing reconciliation rather than revenge for the sufferings and atrocities the people suffered at the hands of the pro-Indonesian militias in 1999.

I am hopeful that the new country of East Timor will be a reliable and worthy addition to the international community.

I want to congratulate the people of East Timor, President Gusmao, Bishop Belo, Jose Ramos Horta, and the many other East Timorese who brought their people and their nation to this historic point.

I also want to commend President Bush for his action yesterday recognizing East Timor as a nation and establishing diplomatic relations.

Lastly, I want to thank Representative SMITH for sponsoring this important legislation and for all of his work in this Congress not only on East Timor, but for human rights and religious freedom.

IN RECOGNITION OF A TRUE HERO

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. RILEY. Mr. Speaker, I rise today in recognition of a true American hero, William Arthur Wood of Opelika, Alabama.

At this very special time of the year when we honor those who have so bravely fought for our country, I want to pay special tribute to this valiant soldier who served in the Army Air Corps during World War II and was a POW for 18 months. It is difficult to imagine what he must have had to endure during this time.

Mr. Wood's great niece and her family are bringing Mr. Wood and his wife to Washington, D.C. during this Memorial Day holiday. He is now 81 years of age and totally disabled but continues to be so proud of our country and to have fought to preserve our freedoms during World War II. I salute Mr. Wood for his service to our country.

A DOCUMENTARY RECOGNIZING THE HEROIC ROLE OF TURKISH DIPLOMATS DURING WORLD WAR II

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. WEXLER. Mr. Speaker, since September 11, our newspapers and airwaves have been filled with stories about heroes and ordinary men and women who have performed courageously in times of great peril. We are night to celebrate them and to acknowledge their heroism.

On Monday, May 20, 2002, an extraordinary film was shown in the U.S. Capitol to Members of Congress and their staffers that celebrates heroes of the past. The film, "Desperate Hours," chronicles the heroic efforts of World War II Turkish diplomats who saved hundreds of Jewish people from almost certain death by providing them with the documentation and support necessary to leave Nazi-occupied Europe and enter Turkey safely.

This dramatic hour-long documentary included interviews with Turkish officials who intervened on behalf of the threatened Turkish Jewish community in Europe and those individuals that received the help of these brave diplomats. In their own words, these incredible individuals who survived Nazi persecution continue to tell a moving and uplifting tale of their struggle for freedom and the selfless acts of assistance they received from Turkish diplomats.

Mr. Speaker, it is extremely important that we acknowledge the heroes of today. However, it is equally important that we acknowledge and remember individuals like those Turkish diplomats who had the greatest respect for human life and dignity and acted as heroes during a period of great darkness. The movie "Desperate Hours" justly recognizes the heroism of these brave individuals who saved the lives of thousand of Turkish Jews.

TRIBUTE TO THE ROTARY CLUB OF BELLEVILLE

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the work of an outstanding organization, the Rotary Club of Belleville, New Jersey.

It is only fitting we recognize this organization, in this, the permanent record of the greatest freely elected body on earth, for it has a long history of caring, leadership, and commitment to its community.

Since receiving its charter from the Rotary International on April 22, 1922, the Rotary Club of Belleville has been an effective coalition of civic leaders, business professionals, and regular citizens dedicated to their neighbors.

The Club has personified its time honored mottoes, "Service Above Self" and "He Profits Most Who Serves Best," by sponsoring projects to aid children, the elderly, and the poor, and by sponsoring literacy programs.

An example of their work can be seen in the "Gift of Life Program." This initiative helps children around the world by providing doctor and hospital services to less fortunate kids in need of heart operations.

A major supporter of the Rotary International's PolioPlus program, the Rotary Club of Belleville has also helped to eradicate polio in developing countries worldwide.

Put simply, the Belleville Rotary Club has made its mission the advocacy for those in need. Its members have made a difference in countless lives, with their work serving as a beacon of caring and compassion for eight decades.

On Wednesday, May 22, 2002, the Club celebrated its 80th anniversary with a wonderful concert at the Belleville Public Library and Information Center. Club members, guests, and dignitaries from the Rotary, the Township of Belleville and the State of New Jersey joined in the celebration.

The job of a United States Congressman involves so much that is rewarding, yet nothing compares to working with and recognizing the efforts of organizations like the Rotary Club of Belleville.

Mr. Speaker, I ask that you join our colleagues, the Township of Belleville, the members of the Rotary, and me in recognizing the eighty years of outstanding and invaluable service of the Rotary Club of Belleville, New Jersey.

COMMUNITY PROBLEM SOLVING TEAM OF THE QUEST PROGRAM

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PAYNE. Mr. Speaker, I rise today to recognize the Community Problem Solving Team of the Quest Program at the Dr. John Howard, Jr. School in East Orange, New Jersey. The September 11th tragedy has made them aware of the tremendous needs that follow a tragedy as well as the vast patriotic spirit that we possess as a country thus they decided to assist people who have experienced a personal tragedy in their lives so that their situation will be improved for a period of time.

This group of 12 fourth and fifth graders has become increasingly concerned about people who are experiencing difficulties in their own lives due to personal loss or economic strain. Thus they have striven to assist these members of the community through various means including: volunteering in an after school program for homeless children, visiting hospital patients, collecting for a toy drive for needy children, collecting canned goods and non-perishable foods for needy families and a food pantry. In addition, this group has received numerous grants and donations from organizations that have recognized the great potential that this group possesses.

These outstanding students will represent New Jersey at the International Competition in Storrs, Connecticut, June 5–11, 2002, having placed first in the New Jersey junior division of the Problem Solving Component of the International Future Problem Solving Program. It is with great pride that I recognize the Community Problem Solving Team of the Quest Program in East Orange, New Jersey. These

young people have taken great strides to assist the members of their community and to see that they have a part in securing a healthy future for our country. Mr. Speaker, I know that my colleagues here in the U.S. House of Representatives join me in wishing the Quest Program continued success.

CONGRATULATIONS TO TUNICA- BILOXI TRIBE OF LOUISIANA

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. KENNEDY of Rhode Island. Mr. Speaker, I wish to insert into the CONGRESSIONAL RECORD my congratulations and praise for the Tunica-Biloxi Tribe of Louisiana and its leaders, including Chairman Earl J. Barbry, Sr. From the time of their first contact with European explorers along the banks of the Mississippi River in the 1500s, the Tunica-Biloxi Tribe has played an important role in the larger community—both as a partner and a friend.

Under Chairman Barbry, Sr.'s leadership, the Tribe has continued to be an integral part of the community of Central Louisiana. The Tunica are doing great things with their recent financial success in both the tribal community and the larger community.

The Tribe has come to this great moment in their history because they have worked well together and will continue in that great tradition of cooperation. The Tribe and its leaders should be commended for their vision and spirit of cooperation among tribal members, civic and governmental leaders and the community at large. I applaud their successful efforts at being good neighbors and economic partners and I wish them continued success.

OFFICERS OF THE UNIFORMED DI- VISION AND U.S. PARK POLICE EQUITY PAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. HOYER. Mr. Speaker, today Representative TOM DAVIS and I have introduced a bill to provide the United States Secret Service Uniformed Division and the United States Park Police with the same locality pay adjustments as other Federal employees.

In the FY 2001 Omnibus Appropriations Act, Congress included a bill called the Law Enforcement Pay Equity Act. The purpose of the Act was to improve officer retention within the United States Secret Service Uniformed Division and U.S. Park Police. The Act's aim was to improve officer retention by raising the Uniformed Division and Park Police pay scales so that they were equivalent or similar to other pay scales in the Metropolitan area.

However, Section 903 of the Act froze the rate of locality pay the employees of the Uniformed Division and U.S. Park Police receive at the level in effect in the year 2000. This freeze in locality pay has caused the Uniformed Division and Park Police pay scales to lag behind the compensation scales of other agencies competing for the same workforce.

In the Washington, DC Metropolitan area, Officers of the Uniformed Division and the U.S. Park Police are currently locked into a locality rate of 9.05%, but the standard locality rate for U.S. Government employees in the Washington area is 11.48%, a difference of 2.43%.

By fixing this problem, the median salary of an Officer with thirteen years of service would increase by \$1,375 per year.

Mr. Speaker, this bill, in essence, unlocks the freezer door, opens it up, and allows the locality pay to thaw to normal levels. At a time when the Uniformed Division and Park Police are trying to increase morale and maintain top rate officers, this bill is a small but significant signal that Congress cares about their welfare. This bill fixes what I consider an unfair technicality and provides them with equitable locality pay.

HONORING VETERANS PARK CONSERVANCY

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. COX. Mr. Speaker, I rise today to make my colleagues aware of Veterans Park Conservancy, a community group founded in 1986 to help manage Veterans Park, which covers 700 acres of land in West Los Angeles, California. Originally gifted to the Federal Government, Veterans Park is home to a number of historically and culturally significant sites, including the Los Angeles National Cemetery, the Wadsworth Theatre, and several memorials honoring our veterans. It is also one of the last remaining open spaces in West Los Angeles.

The mission of Veterans Park Conservancy is simple: "Honoring our Veterans, Cherishing the Land." The Veterans Park Conservancy was organized to develop and implement a long-term plan to protect the park. Soon after its inception, the group developed a 25-year Master Plan that identifies key restoration projects. In 1998, the Department of Veterans Affairs officially granted Veterans Park Conservancy the authority to carry out these projects. The group's partners include veterans, the Federal Government, local and state agencies, community organizations, and private philanthropists.

Throughout its 16-year history, Veterans Park Conservancy has spearheaded several projects in West Los Angeles and their fine work is a testament to their dedication to America's veterans. Beginning in 1994, the group led the charge to improve a one-mile section of Wilshire Boulevard as "Veterans Parkway," and collaborated with Los Angeles County to improve the parkway with cobblestones, lighting, and 600 new trees. After the September 11th attacks, Veterans Park Conservancy worked with the Federal and local governments to install a permanent memorial of 100 American Flags, which fly proudly on both sides of the boulevard.

In 1998, Veterans Park Conservancy restored the Spanish-American War Memorial, which sits at the entrance of the Los Angeles National Cemetery. In 2000, the group gave the cemetery a stately new entrance, new trees an 7,800 feet of wrought iron perimeter

fencing—all of which elevate this beautiful memorial to its rightful status as a “The Arlington of the West.” Every Memorial Day, the Veterans Park Conservancy works with scout troops to place American flags on each of the 85,000 veterans’ graves, creating fields of inspirational red, white and blue.

I also want to commend Veterans Park Conservancy for their effort to pass legislation to name the chapel at the National Cemetery the “Bob Hope Veterans Chapel.” I am also pleased to have had the opportunity to work with the group along with the gentleman from California, Mr. Waxman, in creating a lasting honor to our country’s most beloved honorary “veteran.”

For all these reasons, it is my pleasure to pay tribute to the many good works of the Veterans Park Conservancy and to wish them many more years of success.

PERSONAL EXPLANATION

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BONIOR. Mr. Speaker, due to prior commitments in my home state of Michigan, I was unable to cast votes yesterday. Had I been present, I would have voted:

“Yes” on rollcall No. 174, H.R. 3833;

“Yes” on rollcall No. 175, H.R. 1877;

“Yes” on rollcall No. 176, H.R. 3375;

“Yes” on rollcall No. 177, H.R. 4626;

“Yes” on rollcall No. 178, H. Con. Res. 405;

“Yes” on rollcall No. 179, Lantos amendment to H.R. 3994;

“Yes” on rollcall No. 180, Jackson-Lee amendment to H.R. 3994;

“Yes” on rollcall No. 181, Waters amendment to H.R. 3994;

“Yes” on rollcall No. 182, H.R. 3994;

“Yes” on rollcall No. 183, H.R. 4514;

“Yes” on rollcall No. 184, H.R. 4015; and

“Yes” on rollcall No. 185, H.R. 4085.

A TRIBUTE TO THE NEIGHBOR TO NEIGHBOR PROGRAM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. FARR of California. Mr. Speaker, it is a testament to the courage, strength, and honor of Americans that of the many reactions to the events of September 11, only few were expressions of suspicion and hostility against innocent residents of our nation. However, any reaction reflecting suspicion and hostility, any violence against those targeted because of their religion, country of origin, skin color, language, or dress is shameful, and we all must work diligently to prevent them.

I am proud to recognize the Neighbor to Neighbor program in my district. Volunteers organized this program to protect the safety and dignity of all who live in the multi-ethnic, multi-cultural area of the Central Coast of California.

Neighbor to Neighbor acts as a clearinghouse to pair community members who need help with those who need to help. Volunteers

assist neighbors with shopping, running errands, short and long distance travel; they provide shelter, translation, safe companionship, vandalism cleanup, and other needed services. Assistance is free, confidential, and available all hours of the day and night. Collect calls are accepted. All nationalities are welcomed; those who request help need not speak English.

Neighbor to Neighbor also recruits speakers for local schools and community groups to foster discussion, provide education, and attempt to dispel ignorance and fear.

Neighbor to Neighbor asks that we prove to the world, to our children, and to ourselves that we refuse to succumb to hate, ignorance, and that we do not ignore the needs of our neighbors. The ultimate goal of the Neighbor to Neighbor program is the discovery that its existence is no longer needed, that our neighbors are living peacefully with each other. I look forward to this day.

HOLD FEDERAL CONTRACTORS ACCOUNTABLE TO WORKPLACE AND ENVIRONMENTAL LAWS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, I wish to bring to the attention of my colleagues an article by Ken Silverstein appearing in the May/June issue of Mother Jones magazine. The article reports that the Federal Government continues to let billions of dollars worth of contracts to dozens of companies that have been repeatedly cited for serious violations of workplace safety and environmental laws.

Over a six months investigation, Mother Jones identified the 200 corporations that did the most business with government between 1995 and 2000. The magazine then matched that list against two other federal databases identifying companies prosecuted by the Justice Department for environmental violations and companies cited by the Occupational Safety and Health Administration for conditions posing a serious risk of injury or death to workers.

Among the article’s findings: forty-six of the 200 largest government contractors were prosecuted by the Justice Department and ordered to pay cleanup costs for dumping hazardous waste and for other environmental violations; fifty-five of the 200 largest contractors were cited for 1,375 violations of workplace safety laws; and thirty-four contractors were penalized for violating both environmental and workplace safety laws. Those thirty-four firms faced total EPA penalties of \$12.6 million and OSHA fines of \$5.9 million, but received \$229 billion in federal contracts over the same period.

Mr. Silverstein documents the following cases in his compelling article: “In 1997, TRW settles criminal charges growing out of violations of workplace safety laws. The same company is later found to have intentionally dumped chemical waste from the same plant in three states. As a consequence, the company pays a record \$24 million in civil and criminal penalties. However, even that penalty is pittance compared to the more than \$10 billion in taxpayer money that the company received between 1995 and 2000.”

“In 2000, Northrup Grumman pays nearly \$6.7 million to settle two separate cases involving allegations that the company cheated the government by inflating the costs of parts and materials for warplanes. In 1995, General Dynamics pays nearly \$2 million to resolve allegations that it falsified employee time cards. Yet between 1995 and 2000 those two companies received a total \$38 billion worth of federal contracts.”

“Between 1990 and 1996, nine workers died at the Avondale shipyard, a death rate of three times that of other Navy shipyards. In 1999, OSHA documents hundreds of health and safety violations and fines the company \$717,000. One month after the fines are levied, the government awards Avondale another \$22 million contract to work on amphibious assault ships. The following year, three more workers are killed at Avondale, one of whom dies as a result of a repeat scaffolding violation.”

Mr. Speaker, I am sure that many of my colleagues would agree with me that federal procurement policy should not reward companies that flagrantly disregard tax law, environmental laws, labor laws, antitrust law, or civil rights laws. Federal procurement law already requires government contractors to have a “satisfactory record of integrity and business ethics.” Unfortunately, when President Bush revoked the contractor responsibility rule, he rendered that requirement virtually unenforceable.

As this article shows, by repealing regulations intended to give meaning to the requirement that government contractors demonstrate integrity and business ethics, President Bush has implemented a policy that does not punish big corporations for disregarding the law, but effectively rewards them instead.

I commend the article below to the attention of my colleagues. I also would like to point out that the magazine compiled an extensive database of the violations which can be found on its web site. The article printed below is the version that appears on the magazine’s web site. There is a longer version of the story that appears in the actual May-June version of the magazine and I would be happy to provide copies of the complete article to any of my colleagues who may wish to see it.

Thank you, Mr. Speaker.

UNJUST REWARDS

(By Ken Silverstein)

In 1994, an explosion claimed the life of a worker at an Arizona air bag factory run by TRW, the huge Ohio-based manufacturing conglomerate. The company, which had a record of violating federal workplace safety laws at the plant, paid a \$1.7 million penalty in order to settle criminal charges brought against it. Later, federal environmental officials discovered that TRW, following a policy described as “clearly approved by management,” was illegally dumping chemical waste at landfills in three states. Last year, the company paid a record \$24 million in civil and criminal penalties related to the dumping case.

But even as TRW was repeatedly violating workplace and environmental laws, it was still earning billions under contracts awarded by the federal government. Between 1995 and 2000, the company received a total of \$10.3 billion in federal business, placing TRW among the nation’s 10 largest government contractors despite its record of jeopardizing the safety of its employees and polluting the nation’s air and water.

That's not supposed to happen. Federal contracting officers are charged with reviewing the legal records of companies that do business with Washington and barring those that fail to demonstrate "a satisfactory record of integrity and business ethics." But officials are given no guidelines to follow in making such decisions, and there is no centralized system they can consult to inform them of corporate wrongdoing. As a result, a government report concluded in 2000, those responsible for awarding federal contracts are "extremely reluctant" to rule out potential contractors, even when they are aware of violations. And in the rare instances when the rule is enforced, it is almost always against small companies with little clout in Washington.

Shortly before leaving office, President Clinton issued an executive order providing clear guidelines for deciding whether firms should be considered for a share of the roughly \$200 billion in federal contracts awarded each year. Clinton's "contractor responsibility rule" specified that federal officials should weigh "evidence of repeated, pervasive, or significant violations of the law." Officials were told to consider whether a company has cheated on prior contracts or violated laws involving the environment, workplace safety, labor rights, consumer protection, or antitrust activities.

The order was never implemented. In one of his first acts as president, after only 11 days in office, George W. Bush put the rule on hold, saying the issue needed further study. With big business suing to block the new guidelines, Bush quietly revoked the rule 11 months later.

Some 80,000 contractors do at least \$25,000 in business with the federal government each year, and the great majority comply with the law. But a six-month investigation by Mother Jones of the nation's 200 largest government contractors found that Washington continues to award lucrative contracts to dozens of companies that have been repeatedly cited for serious violations of workplace and environmental laws. The government's own database of contractors was matched with lists of the worst violations documented by the Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) between 1995 and 2000. Among the findings:

Forty-six of the biggest contractors were prosecuted by the Justice Department and ordered to pay cleanup costs after they refused to take responsibility for environmental violations, including the illegal dumping of hazardous waste. General Electric—which received nearly \$9.8 billion from the government, making it the nation's 10th-largest contractor—topped the EPA list with 27 cases of pollution violations for which it was held solely or jointly liable.

Fifty-five of the top 200 contractors were cited for a total of 1,375 violations of workplace safety laws that posed a risk of death or serious physical harm to workers. Ford Motor Company, which between 1995 and 2000 ranked 177th among contractors with \$442 million in federal business, led the OSHA list with 292 violations deemed "serious" by federal officials.

Thirty-four leading contractors were penalized for violating both environmental and workplace safety rules. The firms were hit with a total of \$12.6 million in EPA penalties and \$5.9 million in OSHA fines—costs more than covered by the \$229 billion in federal contracts they were awarded during the same period.

Even contractors that commit the most obvious violations are never suspended or debarred. One federal study found that the government continues to award business to defense contractors that have committed

fraud on prior contracts. General Dynamics Corp., the nation's fifth-largest contractor, paid the government nearly \$2 million in 1995 to resolve charges that it falsified employee time cards, billing the Pentagon for thousands of hours that were never worked on a contract for testing F-16 fighters. Northrop Grumman, the nation's fourth-largest contractor, paid nearly \$6.7 million in 2000 to settle two separate cases in which it was charged with inflating the costs of parts and materials for warplanes. Yet the two defense giants continue to receive federal contracts, collecting a combined total of \$38 billion between 1995 and 2000.

"It is clear that, in many cases, the government continues to do business with contractors who violate laws, sometimes repeatedly," concludes a 2000 report by the Federal Acquisition Regulatory Council, the agency that oversees federal contractors. Others put it more bluntly.

"Government should not do business with crooks," says Rep. George Miller (D-Calif.), who has demanded that the Bush administration make public any meetings it had with corporate lobbyists during which the contractor responsibility rule was discussed. Bush's decision, Miller says, "sends a message to contractors that the government doesn't care if you underpay your workers, or expose them to toxic hazards, or destroy the public lands—the government will do business with you anyway."

The complete story on federal contractors is available in the May/June issue of Mother Jones magazine.

INTRODUCTION OF THE UNITED STATES WEATHER RESEARCH PROGRAM ACT OF 2002 (H.R. 4791)

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. EHLERS. Mr. Speaker, today, I am introducing a very important piece of legislation, the "United States Weather Research Program Act of 2002." The human toll and dollar loss from severe weather events are staggering. More than 1,500 weather-related fatalities and \$15.8 billion in weather-produced damage to property occurs annually.

The Weather Research Program, which is a partnership among academic and commercial communities and several government agencies—the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), the U.S. Navy and many others. Led by NOAA, the program supports government and university-based research to improve severe weather forecasts and better utilization by emergency managers as well as the public.

The legislation authorizes \$45 million over three years and clarifies the research focus on hurricanes and heavy precipitation events. The bill also incorporates the provisions of Congressman ETHERIDGE's legislation, H.R. 2846, that calls on the U.S. Weather Research Program to develop a new flood warning index that will give the public and emergency management officials more complete, clearer, and accurate information about the risks and dangers posed by expected floods.

I also note that my introduction of this legislation corresponds with President Bush's proclamation that this week is "National Hurricane

Awareness Week." With hurricane season quickly approaching, investment in the U.S. Weather Research Program will help provide better forecasts and warnings that will save lives and better prepare our Nation to handle severe weather events.

IN HONOR OF THE 90TH ANNIVERSARY OF THE GIRL SCOUTS OF AMERICA

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mrs. CLAYTON. Mr. Speaker, I rise to honor the Girl Scouts of the USA as they celebrate their 90th Anniversary this year. Girl Scouting began on March 12, 1912, when founder Juliette Gordon Low assembled 18 girls from Savannah, Georgia, for a local Girl Scout meeting. She believed that all girls should be given the opportunity to develop physically, mentally, and spiritually. Ninety years later, few can argue that those goals have not been met. Girl Scouting boasts over 3.8 million members, making it the largest organization for girls in the World.

I have long been in contact with Members of the Girl Scouts. I have been impressed by their poise as well as their plans for a sound future. The message of empowerment has been strongly resonated by the organization. For 90 years, the Girl Scouts organization has had a proven track record of empowering girls to become leaders, helping adults be positive role models and mentors for children, and helping to build solid communities. With the help and dedication of Congress, Girl Scouts is sure to continue this tradition for the next 90 years and beyond.

With time comes change. I have been impressed with the Girl Scouts' goal of reaching out to all girls, regardless of their socioeconomic background. It is my understanding that Girl Scout troops now meet in homeless shelters, migrant farm camps, and juvenile detention facilities. And through one of Girl Scout's signature initiatives, Girl Scouts Beyond Bars (GSBB)—girls meet in prisons where, in instances, their mothers may be incarcerated. It is these types of efforts that must continue to be praised.

I represent a rural area in North Carolina where teen pregnancy and high school drop out rates are higher than many areas of the State and Nation. Young people in my Congressional District and elsewhere need a message of empowerment and organizations that will provide them with a solid direction in their lives. I am proud that the Girl Scouts of America has a strong presence in my district. The Girl Scout Council of Coastal Carolina, Inc. was chartered by the Girl Scouts of the USA to develop and administer Girl Scouting to girls and adults in 25 eastern North Carolina counties. The Girl Scout Council of Coastal Carolina currently serves 6,500 girls and 2,700 adults in Eastern North Carolina.

Congratulations to the Girl Scouts for providing such a tremendous public service to our youth and to the country.

TRIBUTE TO CYNTHIA G. ROTH, 25 YEARS OF SERVICE, GREATER RIVERSIDE CHAMBER OF COMMERCE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication to the community and to the overall well-being of my congressional district of Riverside, California is exceptional. The City of Riverside has been fortunate to have dynamic and dedicated business and community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. Cynthia Roth is one of these individuals. On May 31, 2002, Cindy will be honored by the Greater Riverside Chambers of Commerce for 25 years of dedicated service to the Community.

Cindy Roth is president and chief executive officer of the Greater Riverside Chambers of Commerce. Ms. Roth oversees a budget of \$1.3 million and 15 employees. Cindy's career has expanded over 25 years at the Greater Riverside Chambers of Commerce. She attended Riverside Community College, and graduated from the United States Chamber of Commerce Institutes for Organization Management at Stanford University.

The first woman to lead the organization, Cindy became the president of the Chamber in 1999. A person with passion and principles who has strived to have a positive effect upon her local community, Cindy's leadership has been instrumental in strengthening the bonds among the communities of Greater Riverside, along with their business and educational communities.

Actively involved in the community, Cindy is currently a member of the Riverside Raincross Club and Western Association of Chamber Executives. She also serves as the vice president for Southern California Association of Chamber of Commerce Executives.

She received the 1996 Community Service Award from the Rotary Club of Arlington, Alumna of Leadership Riverside and is the recipient of the 2000 Athena Award.

Cindy's tireless, engaged actions have propelled the City of Riverside forward in a positive and progressive manner. Her work to promote the businesses, schools and community organizations of Riverside make me proud to call her a fellow community member, American and friend. I know that all of Riverside is grateful for her contribution to the betterment of the community and salute her for her efforts. I look forward to continuing to work with her for the good of our community in the future.

REAUTHORIZATION OF THE WATER DESALINATION ACT

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. HORN. Mr. Speaker, I rise today to introduce H.R. 4792 to reauthorize funding for the Water Desalination Act of 1996. The Act

has promoted and funded research to reduce treatment costs of previously unusable water sources such as brackish groundwater and coastal waters. These projects have proved to be valuable investments in helping to meet our Nation's future water needs.

Clean water is essential for the health of all Americans. It is needed for drinking water and to satisfy the needs of agriculture and industry throughout the country. As our population continues to grow, so will our need for water. As conventional water supplies become over used, we will need to look at new resources such as sea water to supplement our supply. It is imperative that we do so now and be prepared for the future.

In addition, our nation's drinking water supplies are subject to contamination from pollution from automobile emissions and septic tanks. New technologies being studied and developed under research funded by the Act would remove these contaminants so that once polluted water can be safely used.

The reauthorization of the Water Desalination Act will enable us to continue working toward securing a clean and safe water supply for our nation's future. I urge my colleagues to support and pass this much needed piece of legislation.

H.R. 4792, is printed below with original co-sponsors.

107TH CONGRESS, 2D SESSION, MAY 22, 2002

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following sponsors are hereby added to:

- (1) KEN CALVERT
- (2) SILVESTRE REYES
- (3) LUCILLE ROYBAL-ALLARD
- (4) SUSAN DAVIS
- (5) ROBERT UNDERWOOD
- (6) DUNCAN HUNTER
- (7) JIM MCGOVERN
- (8) BOB FILNER
- (9) DANA ROHRBACHER
- (10) GRACE NAPOLITANO
- (11) KAREN THURMAN
- (12) HILDA SOLIS
- (13) JUANITA MILLENDER-MCDONALD

Member Signature: STEVE HORN

H.R. 4792

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION.

Section 8 of the Water Desalination Act of 1996 (110 Stat. 3622, 3624; P.L. 104-298; 42 U.S.C. 10301 note) is amended to read as follows:

"SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

"(a) SECTION 3.—There are authorized to be appropriated to carry out section 3 of this Act \$5,000,000 per year for fiscal years 2003–2008. Of these amounts, up to \$1,000,000 in each fiscal year may be awarded to institutions of higher education, including United States-Mexico binational research foundations and interuniversity research programs established by the two countries, for research grants without any cost-sharing requirement.

"(b) SECTION 4.—There are authorized to be appropriated to carry out section 4 of this Act \$25,000,000 for fiscal years 2003 through 2008."

IN RECOGNITION OF POLICE CHIEF KIM TIERNEY

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SHAW. Mr. Speaker, I rise today in recognition of Lighthouse Point Chief of Police, Kim Tierney. As a member of the Lighthouse Point Police Department in Florida, Kim worked her way up through the ranks in almost every capacity of the department since her start in 1982. Throughout her experiences on the force, Kim did not encounter many other women in her line of work. Regardless, I am proud to say that in 2002, Kim has not only persevered in her pursuit of a career in law enforcement, but more so distinguished herself as one of only 150 female police chiefs out of 30,000 in the country.

During her tenure with the Lighthouse Point Police Department, Chief Tierney has been responsible for numerous innovations that have catapulted the 47-member department into twenty-first century policing. Her leadership has brought about massive improvements in technology, records management, communications, marine patrol, domestic violence investigations, community policing and bike patrol.

Although she began her career at a time when women were not generally accepted into police work, she modeled herself as an exemplary employee and proved her skeptics wrong. Her achievements speak louder than I ever could, here today on her behalf. Mr. Speaker, I am proud to recognize Police Chief Tierney as an outstanding pioneer in her field and in my home district. Let her achievements serve as an example of what is possible for future generations as they consider a career in public service and the noble profession of police work.

30TH ANNIVERSARY OF DIGITAL FLY-BY-WIRE TECHNOLOGY

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. THOMAS. Mr. Speaker, I rise today to commemorate the 30th anniversary of the first test flight utilizing digital fly-by-wire flight control systems at NASA Dryden Flight Research Center, located on Edwards Air Force Base in my district.

On May 25, 1972, Dryden's F-8 Digital Fly-By-Wire (DFBW) aircraft, piloted by Gary Krier (now Dryden's Director of Flight Operations), successfully tested the technology that is now used on space shuttles and military and commercial aircraft.

Digital systems revolutionized the way aircraft were designed, built, and flown. These systems made planes safer, less vulnerable to damage from enemy weapons, more maneuverable, and more stable than the former hydraulic systems. In addition, digital systems provide a smoother ride than a hydraulic system—an important application for commercial airliners. Previously pilots controlled aircraft manually, manipulating control sticks linked to cables and rods that moved surfaces on the wings and tails.

The flight testing done at Dryden 30 years ago allowed the engineers of today to develop and fly unconventional plane designs like the B-2 Stealth bomber, and paved the way for the air superiority that America enjoys today—an invaluable asset in the war on terror.

I commend all those who worked on this program and thank them for their dedication. I am confident that the work performed at Dryden today will revolutionize the skies of tomorrow and keep the United States as the world's preeminent aerospace leader.

**HONORING THE RETIREMENT OF
LIEUTENANT MIKE SHELTON
FROM THE UNION CITY POLICE
DEPARTMENT**

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. STARK. Mr. Speaker, on June 8, 2002, the Union City Police Department will celebrate the retirement of one of its finest officers, Lieutenant Mike Shelton.

In his 31-year law enforcement career, Lt. Shelton has served the Union City Police Department in many capacities, working as a Motor Officer in Traffic, Firearms Instructor, Investigations Division Supervisor, Youth Services Bureau Director, Police Explorer Post Advisor, Personnel and Training Manager, Crime Prevention, Research and Analysis Section Supervisor, and Patrol Division Supervisor.

In addition, Lt. Shelton was instrumental in developing the force's Operational and Procedural Directives, nearly every departmental form in use by the Police Department, and the Watch Commander's Guide. He writes the Department's weekly newsletter, the Crimes Times, and his treatise on the effects of alternative music on children of dysfunctional families was published worldwide. Recently, Lt. Shelton introduced and shared his knowledge of digital photography with the department.

During his off-duty hours, Lt. Shelton served the Union City Police Officer's Association in four consecutive terms as its treasurer and served as its President in 1975. He was chosen as Officer of the Year in 1999 by his peers.

Lt. Shelton served nearly his entire career with the Union City Police Department. He was an Air Policeman with the United States Air Force from December 1964 until becoming an officer with the Fremont Police Department in July 1968. He began his long and distinguished career with the Union City Police Department on January 18, 1971. He was promoted from Officer to Sergeant in December 1975, and from Sergeant to Lieutenant in July 2001.

Michael Shelton graduated from Washington High School in Fremont, the U.S. Air Force Police Technical Course, Chabot College and California State University, Hayward. He has attended the University of Southern California's Delinquency Control Institute, the California Highway Patrol motor school, and the Police Planner's Institute.

I am honored to join the colleagues of Lt. Michael Shelton in commending him for his many years of dedicated and exemplary service to law enforcement. His commitment to excellence has left its irreplaceable mark on the Union City Police Department.

**IN HONOR OF DANCEAFRICA'S
25TH ANNIVERSARY**

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. TOWNS. Mr. Speaker, I rise in recognition of the 25th season of DanceAfrica at the Brooklyn Academy of Music.

From Friday, May 24, through Sunday, May 26, BAM will be celebrating 25 years of DanceAfrica with a celebration developed to match the legendary annual festival of African and African-American dance and culture. Founded by Chuck Davis in 1977, DanceAfrica is the Nation's first dance festival devoted solely to the rich legacy of African dance.

For 25 years, DanceAfrica has nurtured and celebrated African artistic, spiritual, and cultural identity with programs that illuminate the social, religious, and ceremonial traditions of people throughout the continent.

Mr. Speaker, DanceAfrica has become an important part of the educational experience, cultural and artistic experience. As such I urge my colleagues to join me in honoring this truly outstanding 25th Anniversary of BAM's DanceAfrica.

**PERSONAL RESPONSIBILITY,
WORK, AND FAMILY PROMOTION
ACT OF 2002**

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2002

Mr. ETHERIDGE. Mr. Speaker, I rise today in opposition to H.R. 4737, the Republican welfare reform reauthorization bill and in support of the Democratic substitute.

The landmark welfare reform law enacted in 1996 put people to work and reduced the number of those who depend on public assistance. Congress should build on that success in further reforming welfare today.

A good welfare bill must have three components to replace welfare with work successfully. It must provide States with sufficient resources to administer welfare initiatives. It must give recipients access to education and job training. And finally, a good welfare bill must address the most difficult obstacle to getting and keeping a good job, childcare. Regrettably, H.R. 4737 fails to meet these requirements on all accounts.

I strongly support putting people to work to help them obtain self-sufficiency. Unfortunately, while the Republican bill requires more work hours, H.R. 4737 does not provide additional funding to the States to help them implement these additional work requirements. According to the Congressional Budget Office, it will cost \$8–11 billion to comply with these new provisions. North Carolina alone would have to spend \$222 million in order to meet the requirements of the new welfare reform bill. North Carolina, like many States, is in the midst of a severe budget crunch. Mr. Speaker, where will North Carolina find the funds to carry out this unfunded mandate?

Welfare reform should not limit a person's opportunity to succeed and care for their fami-

lies. But that's what the Republican bill does. Under the Republican welfare bill education initiatives that allow welfare recipients to take community college classes or obtain their GED are eliminated. That's unacceptable. As the former Superintendent of North Carolina's public schools, I understand how important education is to finding and keeping a good job in the 21st Century. Education, indeed life-long education, is the key to a successful future. Many of the folks who remain on the welfare rolls today are the least prepared to enter the workforce. We must provide them with the tools they need to lift themselves and their families out of poverty.

The Republican bill also requires parents to work ten more hours per week, yet it does not provide enough resources for childcare. Finding quality childcare is one of the most daunting challenges with which welfare recipients must contend. Good childcare helps young children develop and keeps older children in positive, productive environments. It keeps children off the streets while their parents are at work. This is common sense. If you require folks to spend more time working, you must give them an avenue for caring for their children. In my State, we have over 25,000 children on the State's childcare waiting list. North Carolina's sons and daughters require funding for childcare. Unfortunately, H.R. 4737 fails to provide adequate childcare funding.

I support the Democratic substitute to H.R. 4737. Our plan also requires more work hours, but our plan provides States with the necessary resources to make these welfare initiatives work. It allows States to count education and job training as a work related activity, so welfare recipients prepare to get good jobs and permanently leave the welfare rolls. And this plan invests significant resources for childcare.

Mr. Speaker, I grew up in rural, eastern North Carolina. I know what it means to be poor, and I understand first hand the value of hard work. Welfare reform should help lift families out of poverty to become self-sufficient. H.R. 4737 will not work. It is reform for politics sake and a bad bill for North Carolina and those across the nation who need help the most.

I urge my colleagues to oppose H.R. 4737 and support the Democratic substitute.

INDEPENDENCE OF EAST TIMOR

SPEECH OF

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. HALL of Ohio. Mr. Speaker, I rise in strong support of H. Con. Res. 405, Commemorating the Independence of East Timor on May 20, 2002. Yesterday's independence of East Timor will make it the first new country of the millennium. I extended my full congratulations to all of the people of East Timor, their new President, Xanana Gusmao, and Nobel Peace Prize Laureates Carlos Xinenes Belo, the Roman Catholic Bishop of Dili, and Jose Ramos-Horta who have both worked tirelessly on behalf of the people of East Timor. Yesterday was a day which many of us thought would never come in our lifetimes.

Mr. Speaker, I want to take this opportunity to acknowledge the extraordinary contributions of one individual—Arnold S. Kohen—who has made a difference in working for peace and justice in East Timor. He is not often recognized but Arnold has worked behind the scenes for over 20 years raising the issue of East Timor within the U.S. Congress and throughout the world. He wrote a book documenting the epic struggles of Bishop Belo. Arnold's work has made a contribution to this historic day and is a model for me on how one individual can truly make a difference in the world. I also want to recognize the hard work and dedication of the East Timor Action Network.

The work in East Timor is not yet finished. However, yesterday was a day in which we all can rejoice because an oppressed people have now been set free.

RECOGNIZING SHENENDEHOWA HIGH SCHOOL GRADUATES

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SWEENEY. Mr. Speaker, today I rise to recognize the student body of Shenendehowa High School of Clifton Park, New York and to new graduates. These are not your run-of-the-mill graduates, however. These are graduates who gave up their normal time for leaving high school so that they could defend our Nation from evil. Their heroic acts helped preserve the free world and ensured the continual existence of our way of life.

Today's student body, unselfish in their motives, feels that these men deserve lasting recognition. Therefore, they are placing the names of the following people indelibly in the hearts of their fellow citizens by asking me to present them to you in this venue.

Alfred Bristol, Army, of DeWitt Clinton, N.Y.; Mario Gaetano, Sr., Army Air Force, of Mechanicville, N.Y.; Orlie Kent, Army, of Wolcott, N.Y.; George Kohrmann, Navy, Bronx, N.Y.; George Lynch, Navy, Piermont, N.Y.; Kenneth Melia, Navy, Jamaica, N.Y.; Potito Sforza, Army, Bronx, N.Y.; Anthony Streppone, Navy, Bronx, N.Y.; and John Tremblay, Army, Troy, N.Y.

Mr. Speaker, please join me in not just congratulating these men on the honor of their graduation, but in thanking them for their sacrifice and efforts. Also, Mr. Speaker, please join me in thanking the students of Shenendehowa High School for their spirited and unselfish act in behalf of these men.

CHEROKEE LIVING MAGAZINE

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BARR of Georgia. Mr. Speaker, I would like to join in congratulating Jeff and Amber Mette on the 2d anniversary of Cherokee Living Magazine. The inaugural issue was launched in May 2000, and is published bi-monthly.

Cherokee Living prides itself on being a true "quality of life magazine" for the Cherokee

County community, including Woodstock, Towne Lake, Canton and Waleska. It highlights living and working in Cherokee County and is packed with information on health and wellness, interviews with local individuals, upcoming events, and many other items of interest to residents and visitors. Its list of contributing writers is a showcase of Cherokee's best writers.

Distributed to residents, offices and monthly to newcomers to the area, the Mette's commitment keeping Cherokee residents informed is deeply appreciated. As a Cherokee resident, I am pleased to join in celebrating their 2nd anniversary and wish them many more years of success.

TRIBUTE TO THE INLAND EMPIRE HARLEY OWNERS GROUP

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. CALVERT. Mr. Speaker, I am honored today to pay tribute to the Inland Empire Harley Owners Group as they prepare to promote West Coast Thunder, a large police escorted parade of motorcyclists to the Riverside National Cemetery to honor our military veterans on Memorial Day. In my congressional district of Riverside, California, we are fortunate to have numerous community service organizations that not only unselfishly give their time and talents to the community but find their own lives enriched in return. The Inland Empire Harley Owners Group epitomizes this and more.

The efforts of the West Coast Thunder committee with thousands of parade participants over the years, has brought great recognition, unparalleled resources and multitudes of volunteers to Riverside's Memorial Day Remembrance Ceremony. This event provides a compelling way for people to pay their respects as well as raise funds for the Riverside National Cemetery Support Committee. The visual impact of thousands of motorcycles, led by a full flag-bearing honor-guard, proudly gives those interred at the Riverside National Cemetery the recognition it richly deserves.

The Riverside National Cemetery is currently the second largest resting place for our veterans, with over 150,000 men and women from our armed services standing silent vigil with us today. Within a short time it is expected to be the largest cemetery in the National Cemetery system and within 50 years will have more than 1.4 million honored veterans.

The months of work preceding this event lead to a large gathering of veterans, family and friends desiring to honor those who gave the ultimate sacrifice for our great nation. Their tireless efforts and dedication to honoring our brave veterans is evident as thousands participate in the Memorial Day Ceremonies.

Mr. Speaker, I congratulate the Inland Empire Harley Owners Group for their dedication and service to our Nations veterans.

200TH ANNIVERSARY OF MILTON, NEW HAMPSHIRE

HON. JOHN E. SUNUNU

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SUNUNU. Mr. Speaker, I rise today to honor a truly great American community, the town of Milton, New Hampshire, which will celebrate its 200th Anniversary on June 11, 2002.

Located in Strafford County in eastern New Hampshire, Milton epitomizes the magnificent beauty that dominates the New Hampshire landscape, and Milton's nearly 4,000 residents are quick to boast about the pristine waters of its three ponds and the Salmon Falls River, which is overlooked by scenic Teneriffe Mountain. Milton is also home to one of New England's more unique museums, the New Hampshire Farm Museum, whose historic structures, open spaces, and vast collection of farm tools showcase New Hampshire's rural and agricultural roots.

Originally a part of Rochester, New Hampshire, Milton became incorporated as a new town on June 11, 1802. Milton's town founders held the first formal Town Meeting at the Lieutenant Elijah Horne house on August 30, 1802. Today, Milton continues to adhere to the proud New England tradition of the Town Meeting, where neighbors gather to debate and vote on issues that impact their daily lives.

I congratulate the Town of Milton on its 200th Anniversary, and I extend my best wishes to all the citizens of Milton in celebration of this wonderful milestone.

JOSEPH LIMPRECTH, U.S. AMBASSADOR TO ALBANIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SMITH of New Jersey. Mr. Speaker, we have received the news that United States Ambassador to Albania, Joseph Limprecht, died suddenly of a heart attack on Sunday, May 19, 2002, while hiking with his wife and colleagues in northern Albania.

Although I did not have the opportunity to meet Ambassador Limprecht, I did correspond with him on an issue of mutual concern—the trafficking of Albanian women and children into sexual slavery in Europe.

With porous borders and more than its share of criminals, Albania is used by traffickers as a key transit point to Italy. As a source country, young Albanian women are lured into the hands of traffickers and even kidnaped from their home towns or villages. The Ambassador was well aware of this tragedy and pressed for greater law enforcement to stop trafficking networks as well as greater assistance to the victims. Indeed, in keeping with the point of my correspondence with him, the Ambassador made sure U.S. assistance would go to a shelter for repatriated Albanian trafficking victims similar to one created for women found in Albania and waiting to be repatriated to their country of origin.

Beyond that, the Ambassador worked hard in the three years he spent in Albania in helping the country recover from its many ills, in

particular the civil strife which tore the country apart in 1997. Given Albania's vulnerability to militant Islamic infiltration, I am sure that the war on terrorism was in the forefront of his duties in recent months.

Ambassador Limprecht was a member of the Senior Foreign Service, having served with the U.S. Foreign Service since 1975, with postings in Germany, Pakistan and Uzbekistan as well as in Washington. In the 1980s, he served in the office which handled what was then the Conference on Security and Cooperation in Europe and now the OSCE, and worked with the staff of the Helsinki Commission which I had just joined and now serve as Co-Chairman.

My deepest condolences go to the Ambassador's wife, Nancy, their daughters Alma and Eleanor, friends and colleagues.

HONORING LOPEZ FOODS ON THEIR 10TH YEAR ANNIVERSARY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PASTOR. Mr. Speaker, I rise to honor John C. Lopez and Lopez Food, Inc. in celebrating their 10th Anniversary of service to their customers and community.

Lopez Foods a "state of the art" meat processing plant, supplies all-beef hamburger patties, pork breakfast sausage and Canadian-style bacon to McDonald's and Walmart, Inc. The business was originally a subsidiary of Wilson Foods. John C. Lopez purchased the company in 1992, and in 1995 changed the name to Lopez Foods, Inc. That chance marked a new era in the company's relationship with its customers and community.

Lopez, a 19 year veteran of the McDonald's System, used his experience to make the company more compatible with the McDonald's operation and management philosophies. With this approach, Lopez Foods became a top supplier to the world's restaurant leaders. The Lopez Foods mission is to establish the highest industry standards in food and employee safety, quality production, environmental protection and customer service. These great attributes have not only made Lopez Foods a successful company, but a place that the community can feel proud of.

Mr. Speaker, there is no question that John C. Lopez and Lopez Foods, Inc. have done much not only to establish high industry standards on food production, but also his employee safety and customer service. For all of his hard work and dedication, I join in celebrating with family, friends, and the community 10 years of success for Lopez Foods, Inc.

John, I wish you the best of luck, and much continued success to you and your family.

RICHARD AND LINDA SUE
BLAKELY: PILLARS OF THE COMMUNITY

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BARCIA. Mr. Speaker, I rise today to honor two very special friends, Richard and

Linda Sue Blakely of Caro, Michigan, as they celebrate their retirement after many years of serving their community in their jobs and in their volunteer efforts. Richard, who spent 30 years as a deputy with the Tuscola County Sheriffs Department, and Linda Sue, who most recently worked as a special education para-professional with the Caro school system, have set a high standard of community involvement for others to emulate.

Richard met Linda Sue in the fall of 1959 at a USO dance in Oklahoma and they married on April 20, 1960. Ever since, Richard and Linda Sue have been committed to each other, their family, their church and their community. In particular, their work on behalf of young people deserves special mention.

While a student at Saginaw Valley State University, Richard developed and completed his own curriculum in the study of child and family services. He later used the knowledge to work with Tuscola County's Juvenile Diversion Program and Safetyville Program. In 1988, Richard graduated with the first DARE training class established for law enforcement officers in Michigan and he now teaches DARE on a part-time basis for the Tuscola County Sheriffs Department.

Linda Sue's commitment to children took a different path after the couple's youngest son acquired learning challenges as a result of traumatic brain injuries suffered as an infant. The experience of raising a child with such challenges prompted Linda Sue to take jobs devoted to educating and advocating for parents with children facing mental and physical challenges. She also has coached volleyball and cheerleading.

The Blakely marriage has been blessed with four remarkable children, Michael, David, Mary and Joshua. While Richard and Linda Sue never lost sight of their family responsibilities, their faith also led them to embrace their Christian duty to others.

Mr. Speaker, I ask my colleagues to join me in congratulating Richard and Linda Sue Blakely on their retirements and in honoring them for the fullness of their work and volunteer efforts. I am confident they will continue to find many ways to put their God-given talents to good use to benefit others.

ELDERLY HOUSING QUALITY IMPROVEMENT ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. LaFALCE. Mr. Speaker, today, along with Representative FRANK, I will be introducing the Elderly Housing Quality Improvement Act of 2002. The bill is supported by twenty organizations which are members of the Elderly Housing Coalition.

The Elderly Housing Quality Improvement Act is designed to build on the progress we made last Congress in expanding affordable housing opportunities for senior citizens, providing supportive services for frail elderly, and helping seniors age in place and maintain their dignity while doing so.

As our federally assisted housing stock ages, many projects owned by non-profits lack the resources for critically needed repairs and modernization. Without access to capital, and

with no federal program designed to provide funds for repair of such projects, we face the prospect of significant numbers of low-income seniors living in federally assisted housing that will continue to deteriorate in physical terms.

Last Congress, we succeeded in enacting legislation to authorize grants to non-profit owned elderly housing projects to make such needed repairs. This was authorized under newly created Section 202b of the housing code, which also authorized grants for conversion of federally assisted elderly housing to assisted living. Unfortunately, Congress has only funded the assisted living portion of this program. Therefore, Section 2 of the legislation being introduced today authorizes \$200 million a year for each of the next five years under the portion of Section 202b which provides for repair grants for non-profit federally assisted elderly housing. Funds would be provided under a competition based on need.

Section 3 of the bill addresses the need for affordable assisted living, by authorizing capital grants to public housing authorities to convert elderly housing units to assisted living. Assisted living provides a broad range of supportive services designed to help seniors with activities of daily living. Provision of these services allow seniors who would otherwise have to move into a nursing home to age in place and maintain their independence of living.

As noted, Congress already provides grants to convert federally assisted elderly housing units to assisted living. It makes just as much sense to make grants to public housing authorities for the same purpose. For larger housing authorities which convert a housing development to assisted living, there is the added benefit that seniors who live in other housing developments and reach the point where they no longer live on their own can move into the assisted living units.

Another important way that we can promote aging in place in our federally assisted and public housing units is through grants to hire and maintain services coordinators. Service coordinators link seniors with community services which are needed to meet their particular needs and maintain independent living. Congress already provides funding for service coordinators for public and assisted housing, but funding levels are inadequate. Section 4 of the bill would authorize funding to renew all expiring service coordinator grants, as well as authorize \$50 million to hire additional service providers in public and assisted housing.

Finally, Section 5 of the bill would create a new pilot program to build "mixed-income" elderly housing units under the Section 202 elderly housing program. This would leverage existing federal funding for subsidized units with private funding for market-based apartments. It would also create economies of scale that make it easier to pay for supportive services, as well as expand socialization opportunities for the seniors who live in these units.

As our population ages and as the problem of housing and health care affordability becomes more acute for our nation's low-income seniors, our policies need to keep pace with these needs. The Elderly Housing Quality Improvement Act is an important component of this effort, and I urge its enactment.

RECOGNIZING JAMES R. HART, III
ON HIS APPOINTMENT TO THE
U.S. COAST GUARD ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize my constituent, James R. Hart, III of Sandusky, Ohio, who recently accepted his appointment to the U.S. Coast Guard Academy in New London, Connecticut.

Jim will soon graduate from Sandusky High School. During his high school career, he has maintained a superior grade point average, and is a member of the National Honor Society. He is an accomplished athlete, earning varsity letters in basketball and soccer. And, he has clearly demonstrated his leadership ability, serving as co-captain of the basketball and soccer teams.

Jim Hart can be very proud of his many accomplishments. He is a credit to his family, his school, and his community. By accepting his appointment, Jim is accepting a unique challenge.

The Academy is the pinnacle of leadership development for the United States Coast Guard. As a USCG Academy Cadet, he will face a most demanding academic curriculum and physical regimen. He will live, study and prepare in an environment where strong leadership thrives, individual achievement is expected, and personal integrity is demanded.

Mr. Speaker, General John W. Vessey, Jr. once wrote, "The Nation's ability to remain free and at peace depends in no small measure on whether we will continue to inspire our youth to serve."

I am confident that James R. Hart, III has the character and ability to excel at the U.S. Coast Guard Academy. I ask my colleagues to join me in wishing him well as he begins his very important service to our Nation.

ASIAN PACIFIC ISLAND HERITAGE
MONTH

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. DAVIS of Illinois. Mr. Speaker, May is Asian Pacific American Heritage Month.

The Congress has designated this month as a time to celebrate Americans of Asian and Pacific Island ancestry and their contribution to our culture and history. The theme for 2002 is "Unity in Freedom." Asian Pacific American Heritage Month is a relatively new holiday. President Jimmy Carter signed a Joint Resolution designating an annual celebration in 1978. President George H. W. Bush designated May to be Asian Pacific American Heritage Month in 1990.

However men and women of Asian and Pacific Island heritage have a long and rich story as an integral part of America. Asian Americans, at first mostly from China, were first brought to the United States in large numbers as workers . . . workers on the railroads, workers in the gold fields, workers in the agricultural sector. They were often ruthlessly ex-

ploited. Both the public and private sector sought to increase immigration in the early- and mid-1800s in a search for cheap labor as exemplified in the ratification of the Burlingame Treaty which guaranteed the right of Chinese immigration; but which did not, however, grant the right of naturalization.

Our relations with the nations of Asia during this period is a complex one—one too often based on "gun-boat" diplomacy. The combination of racism and competition for jobs led to ugly anti-Asian riots including such shameful events as the 1877 Chico, California riots and the 1885 Rock Springs, Wyoming riots. However, these events resulted in only a brief pause in the rapacious need for cheap labor, and an increasing number of Asian Pacific people were brought or lured to work in Hawaiian and California agriculture—

These new immigrants were increasingly men and women from Japan and the Philippines, especially after the Spanish American War.

The level of anti-Asian racism came into full focus with the internment of Americans of Japanese ancestry during World War II. On February 19, 1942, soon after the beginning of World War II, Franklin D. Roosevelt signed Executive Order 9066. The evacuation order commenced the round-up of 120,000 Americans of Japanese heritage to one of ten internment camps in California, Idaho, Utah, Arizona, Wyoming, Colorado, and Arkansas. Even though many did not speak Japanese or have close ties to Japan, they were nonetheless regarded as wartime threats. Despite the fact that the U.S. was also at war with Germany and Italy, Americans with ancestors from those countries did not face internment. It took almost half a century for us to acknowledge the enormity of the wrong done to Japanese Americans until Congress passed a measure giving \$20,000 to Japanese Americans who had been interned during the war in 1988. President George H.W. Bush signed it the following year.

Asian Pacific people continued to find their way to the United States and continued to become citizens despite significant legal barriers.

From 1910 to 1940 Angel Island, off California, was used to process mainly Asian immigrants to the United States, earning it the nickname "Ellis Island of the West." With increasing numbers, and growing political awareness the Asian Pacific American community began to assume their rightful place in our democracy. Filipino American farm workers led pioneering struggles for the unionization of agricultural workers. Dalip Singh was elected to U.S. Congress from the agricultural heartland of California.

In 1962 Hawaii sent DANIEL K. INOUE to the U.S. Senate and Spark Matsunaga to the U.S. House. Two years later, PATSY TAKEMOTO MINK of Hawaii was elected to the U.S. House, becoming the first Asian-American woman in Congress. Since then, hundreds of Asian Americans have been elected to state legislatures and municipal positions. In the last quarter of the 20th century America became home to millions of new Americans from the nations of Asia and the Pacific rim including China, India, Pakistan, Vietnam, Cambodia, and Laos. Again the search for workers, especially skilled professionals with training in medicine, computer technology, and other specialties, played an important role. Asian Americans are an important part of our diverse American

people . . . but they are also a diverse group themselves. According to the 2000 census there are 11.9 million U.S. residents who reported themselves as Asian alone or in combination with one or more other races in Census 2000. They make up 4.2% of our population. They consist of 2.7 million U.S. residents who reported they were Chinese alone or in combination with one or more other races or Asian groups, 2.4 million Filipino residents, and 1.9 million Asian Indian residents. There were 874,400 native Hawaiian and other Pacific Islander according to Census 2000. The median income in 2000 of Asian and Pacific Islander households was \$55,525, the highest median income of any racial group.

The poverty rate of Asian Pacific Islanders in the 2000 census was 10.7%, the lowest poverty rate the Census Bureau has ever measured for this race group. 44% of Asians and Pacific Islanders age 25 and over held a bachelor's degree or higher in 2000. The corresponding rate for all adults 25 and over was 26%. One million Asians and Pacific Islanders held an advanced degree in 2000 (that is, a Master's, Ph.D., M.D., or J.D.), representing a ratio of 1 in 7 Asian Pacific Islanders 25 and over.

There were 913,000 Asian Pacific Islander-owned businesses in the United States in 1997. These businesses employed more than 2.2 million people and generated \$306.9 billion in revenues. They made up 4% of the nation's 20.8 million nonfarm businesses and 30% of all minority-owned firms.

Mr. Speaker, I could go on with statistics describing Americans of Asian and Pacific Island descent . . . but the point is made: Asian Pacific Islanders are integral to our notions of what America is, and what we want America to be.

Mr. Speaker, over the course of our history we have learned to value our diversity. We have learned that our diversity makes us strong. Asian Pacific Americans are an important and irreplaceable part of our diversity. In every aspect of our culture, our economy, our values, our body politic, our creative energy Asian Pacific Americans are an inseparable part.

Mr. Speaker, let us glory in our diversity. Let us all swell with pride at the contributions of Asian Pacific Americans, not just this month, but every month. Let us reach out and embrace one another, secure in the strength of our multi-racial, multi-ethnic society, and understanding the need to further perfect our unity and eliminate every aspect of inequality and inequity.

And let us move forward together, keeping our eyes on the prize of the great American dream, uplifted by the history and contributions of Americans of Asian and Pacific Island descent now woven into our very being as a Nation.

BUILDING THE KIWANIS CLUB OF
BAY CITY FOR 85 YEARS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to the Kiwanis Club of Bay City,

Michigan, as its members prepare to celebrate 85 years of exemplary community service, charitable giving and volunteerism.

The Kiwanis Club of Bay City was chartered on January 27, 1917 as the fifth club in the Michigan District and the 38th internationally. The word "Kiwanis" is a Native American term meaning "self-expression" and the Kiwanis organization has always expressed itself as an active and vibrant community builder since its inception. The notion behind the Kiwanis is that a group of individuals devoted to leading and improving their community can achieve more than any one individual working alone.

Under the leadership of President Donna Tiernan and all officers past and present, the Kiwanis Club of Bay City has truly honored and epitomized the essence of their motto, "We Build," by time and again stepping up to the plate to serve the needs of our community. The club has consistently supported so many programs and projects in Bay County, including the River of Time event, the BaySail program, Special Olympics and the State Police Academy for high school students. Kiwanis of Bay City also supports the Salvation Army, sponsors 4-H Fair awards and hosts an annual Mothers Day event where members donate gifts for needy moms.

In addition, the club has illustrated its significant commitment to young people through a variety of programs, including sponsorship of a \$25,000 Kiwanis Scholarship Program through the Bay Area Community Foundation. One of the club's more enduring projects is its Kiwanis youth baseball team begun in 1932 in the American Legion League and continuing today through the Northeast Little League in Bay City. Such efforts in education and athletics go a long way toward attaining and maintaining the mental and physical well-being of young people throughout our community. Moreover, the volunteer spirit of Kiwanis should be commended and emulated as a benchmark for all who seek to donate their time and talent to the commonweal.

Mr. Speaker, I ask my colleagues to join me in congratulating the Kiwanis Club of Bay City for 85 years of success and in expressing gratitude for all that its members do for the greater community. I am confident the club will continue its efforts to serve others by building and expanding its network of men and women dedicated to improving the lives of all those around them.

MORTGAGE LOAN CONSUMER PROTECTION ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. LaFALCE. Mr. Speaker, today, I will be introducing the "Mortgage Loan Consumer Protection Act." This legislation will complement a bill I introduced last year, the Predatory Lending Consumer Protection Act (H.R. 1051), as well as the proposal I outlined in my March 26th letter to the HUD Secretary to end abusive practices in conjunction with the use of yield spread premiums. Combined, these initiatives are designed to establish a pro-consumer benchmark for mortgage reform, either with respect to any possible HUD regulatory action, or to legislation that may be enacted by Congress.

For most Americans, obtaining a mortgage loan is the single biggest financial transaction of their life. Typically, mortgage loan closing costs total thousands of dollars, and the loan itself represents a commitment to repay hundreds of thousands of dollars.

The majority of mortgage lenders, brokers, and settlement service providers do a commendable job in helping borrowers through the mortgage loan process, and in providing a good mortgage product. Yet, by loan closing, too many borrowers conclude that the mortgage process is far too confusing than it needs to be. And, too many borrowers close mortgage loans without any clear sense of whether their fees and rates are truly competitive.

The basic Federal law governing mortgage loan settlements is the Real Estate Settlement Procedures Act, also known as RESPA, first enacted in 1974. The "Mortgage Loan Consumer Protection Act" being introduced today modernizes RESPA, in a manner designed to make the mortgage loan process more understandable, more fair, and more competitive.

This legislation would improve and update RESPA by: simplifying and improving the accuracy of mortgage loan disclosures; expanding protections against junk fees and unearned closing costs; enhancing escrow account protections; and creating critically needed enforcement provisions for existing RESPA requirements. A number of provisions in this bill are identical to or derived from recommendations made in a 1998 joint report by HUD and the Federal Reserve Board on reform of the mortgage loan process.

First, the bill simplifies and improves the accuracy of mortgage loan disclosures. A near universal complaint about the current HUD mortgage disclosure forms is that they are far too confusing. Section 2(b) of my legislation would address this problem by directing HUD to revise the HUD-1 Settlement Statement to clearly segregate and provide totals for the following three different types of costs that are paid at settlement: "Closing Costs" (defined as all costs necessary to obtain the loan), "Prepaid Costs" (such as prepaid interest and escrow items), and "All Other Costs Paid at Closing"—that is, everything else.

This would be a dramatic improvement over the current HUD-1 statement, which neither arranges items in a logical order, nor provides totals for these three key types of costs. A clear delineation and a single total for all Closing Costs would be particularly helpful to borrowers analyzing loans, e.g., for the purpose of evaluating whether or not to refinance.

Section 2(c) of the bill directs HUD to harmonize the terms and forms used in the HUD-1 Statement and the Good Faith Estimate (GFE). As a result, the same three types of costs and totals as provided in the HUD-1 would be presented in the GFE. More importantly, harmonization would allow borrowers to track costs throughout the loan process. This is a critical tool to help borrowers evaluate how actual costs compare to preliminary estimates, and to help borrowers hold service providers accountable with respect to any cost increases.

And, Section 2(a) revises the Truth In Lending Act (TILA) to improve the accuracy of the "Finance Charge" for the purpose of calculating the Annual Percentage Rate (APR) for a mortgage loan. Specifically, it requires that the APR calculation include all of the costs that

are required to be paid in order to obtain the loan. Currently, a number of charges are excluded by statute from the APR calculation for mortgage loans, an anomaly that creates a misleading APR calculation that was singled out for criticism in the 1998 HUD-Fed report. I would also note that with this change the Finance Charge would equal the sum of loan interest payments, plus "Closing Costs" as identified under Section 2(b) of my legislation.

Secondly, the bill would expand protections against unwarranted mortgage closing costs, including markups and junk fees. A common complaint by borrowers is that the final settlement statement is not made available until the borrower sits down at closing. Under current law, borrowers may request this statement one day prior to closing, but most borrowers are not even aware that this right exists. As a result, it is not uncommon for borrowers to discover additional fees and charges that they were not previously aware of until the very last minute. With pressures or even deadlines to close, the borrower often has no option but to complain, but ultimately accept, such costs, whether warranted or not.

Section 3 of my legislation addresses this problem by requiring lenders to make available the HUD-1 Settlement Statement at least 2 calendar days before closing. This gives borrowers an opportunity to challenge fees and charges, at a time in the process when they can be reasonably challenged. This is crafted in a flexible way that should not hold up loan closings.

Section 4 deals with the practice of markups of closing costs, also sometimes referred to as "upcharges." Section 8 of RESPA generally prohibits the payment or receipt of a portion or split of a settlement service charge other than for services rendered. Historically, HUD has interpreted this to apply to markups of third party services. However, a recent court case, *Echeverria v. Chicago Title & Trust Co.*, concluded that Section 8 does not apply in cases where the third party has no involvement in the unearned fee. In October, 2001, HUD responded by issuing a Policy Statement, "clarifying" that Section 8 does apply to markups.

Section 4 of my bill explicitly reaffirms the HUD position that Section 8 applies to markups of the cost of services provided by a separate service provider, even if that separate provider has no involvement in the markup. Section 4 goes further than the HUD Policy Statement, by amending Section 4 of RESPA to require that all fees collected by a lender be disclosed clearly on the HUD-1 as being collected by such lender. This provides additional protections against the practice of disguising markups by rolling them into one single disclosure item.

Section 4 of my bill also addresses the problem of junk fees. Specifically, it provides that Section 8 applies to fees collected by one settlement service provider where "no, nominal, or duplicative" work is done. In this context, duplicative refers to situations where a service provider is collecting a fee that is itemized separately from a fee charged for services by a third party—allegedly for the same type of service, but without any additional goods or services being provided. The purpose of the prohibition of charges where no services are provided is obvious; the inclusion of the phrase "nominal" in addition to "no" services is intended to circumvent a defense against a Section 8 violation that the service

provider is doing something—but where that something is of no real value to the borrower.

Finally, I would note that the October HUD Policy Statement also asserts that Section 8 applies to unearned fees where “the fee is in excess of the reasonable value of goods or facilities provided or the services actually performed.” A concern has been raised that such an open-ended application could potentially subject every settlement charge for every loan to a subjective determination of whether such a charge is excessive. The RESPA statute is not intended to be applied so broadly. Similarly, it is not the intent of Section 4 of my bill to subject charges where substantive services are provided by a single service provider to a test of merely whether they are excessive (provided there is no violation of 8(a) kickback or referral fee prohibitions).

Similarly, it is not the intent of Section 4 of my bill to apply the “no, nominal, or duplicative” test to commissions or fees charged by real estate brokers for services related to real estate sales, providing they are negotiated up-front in writing between a broker and the seller (or buyer), and provided that there is no violation of 8(a) kickback or referral fee prohibitions. The purpose of Section 4 of my bill with regard to charges by a single settlement provider is intended to address fees that are part of the mortgage loan process; thus, real estate fees agreed to voluntarily and explicitly by a seller months prior to a mortgage loan being made should not be subject to Section 8 RESPA scrutiny, providing there is no kickback or referral, and the fee is not increased above the agreed-upon amount.

Third, my bill strengthens consumer protections with respect to the administration of escrow accounts, which are commonly required by lenders for the payment of taxes and insurance. Section 6 makes loan servicers liable for fees and penalties arising from their failure to make timely payment of taxes, insurance premiums, and other charges. It also prohibits a servicer from profiting from the failure to make timely payment of insurance charges, by prohibiting such servicer from collecting any fees associated with force-placed hazard insurance.

And, Section 6 deals with the timely return of escrow funds upon loan repayment. As the HUD-Fed report noted, current law does not require return of such funds; it merely requires a final statement be sent out within 60 days of

loan payoff. This can be a particular hardship for certain borrowers, especially those who are refinancing or buying a different home.

When a loan is prepaid in full, the borrower pays the lender all outstanding principal and interest. Accordingly, it is not unreasonable to ask the lender to return all escrow funds at the same time, e.g., as an offset. Therefore, Section 8 of my bill requires the lender to return all escrow funds at time of loan repayment, provided the borrower gives 7 calendar days notice of such intent to prepay. If notice is not given, the servicer must return escrow funds within 21 days. Monetary damages are provided for failure to comply with this requirement.

Fourth, the bill beefs up enforcement provisions. The HUD-Fed report noted that requirements relating to the Good Faith Estimate and the HUD-1 Settlement Statement are “not supported by any enforcement authority under RESPA.” Thus, while the details and scope of what enforcement provisions should be established is a matter for honest debate, it seems clear that the current lack of any enforcement mechanism is unacceptable.

Therefore, Section 7 provides for a uniform enforcement provision that would apply to violations of Section 4 (HUD-1 Settlement Statement), Section 5 (Good Faith Estimate), Section 6 (loan servicing disclosure requirements), and Section 10 (Escrow Account Statements). Settlement service providers that violate these sections would be liable for actual damages, plus additional damages as the court may award, up to \$2,000 per loan, plus court costs in the case of successful legal action. In addition, this section provides for a uniform statute of limitations of three years for all enforcement actions.

Finally, Section 5 of the bill directs HUD to expand the Special Information Booklet required to be given to borrowers at the same time the Good Faith Estimate is provided, to include assistance in two common situations faced by borrowers. First, HUD is required to include an explanation of the issues involved in refinancing a mortgage loan, including the tradeoffs of lower interest rates and closing costs. Secondly, HUD is required to include an explanation that some lenders may offer the option that some loan fees may be paid up front, or in the form of a higher mortgage rate, including assistance in evaluating this type of option.

The “Mortgage Loan Consumer Protection Act” represents a balanced, common-sense approach to beef up consumer protections in our mortgage disclosure laws. I urge its consideration and adoption.

RECOGNIZING JESSE J. WUKIE ON
HIS APPOINTMENT TO THE U.S.
AIR FORCE ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize my constituent, Jesse J. Wukie of Fremont, Ohio, who recently accepted his appointment to the U.S. Air Force Academy.

Jesse will soon graduate from Fremont Ross High School. During his high school career, he has maintained a high grade point average and was named to the honor roll. He is an accomplished athlete, earning varsity letters in wrestling. And, he has clearly demonstrated his leadership ability, serving as captain of the wrestling team, and as Vice President of his 4-H Horse Club.

Jesse Wukie can be very proud of his many accomplishments. He is a credit to his family, his school, and his community. By accepting his appointment, Jesse is accepting a unique challenge.

The Academy is the pinnacle of leadership development for the United States Air Force. As a member of the Cadet Air Wing, he will face a most demanding academic curriculum and physical regimen. He will live, study and prepare in an environment where strong leadership thrives, individual achievement is expected, and personal integrity is demanded.

Mr. Speaker, General John W. Vessey, Jr. once wrote, “The Nation’s ability to remain free and at peace depends in no small measure on whether we will continue to inspire our youth to serve.”

I am confident that Jesse Wukie has the character and ability to excel at the U.S. Air Force Academy. I ask my colleagues to join me in wishing him well as he begins his very important service to our Nation.